

## NOTTINGHAM CITY COUNCIL

### PLANNING COMMITTEE

**MINUTES of the meeting held at Loxley House, Station Street, NG2 3NG, on 20 February 2019 from 2.30 pm - 2.50 pm**

#### **Membership**

##### Present

Councillor Chris Gibson (Chair)  
Councillor Brian Parbutt (Vice Chair)  
Councillor Cheryl Barnard  
Councillor Graham Chapman  
Councillor Azad Choudhry  
Councillor Josh Cook  
Councillor Gul Nawaz Khan  
Councillor Andrew Rule  
Councillor Mohammed Saghir  
Councillor Wendy Smith  
Councillor Malcolm Wood  
Councillor Steve Young  
Councillor Michael Edwards

##### Absent

Councillor Leslie Ayoola  
Councillor Sally Longford  
Councillor Cate Woodward

(substitute for Councillor Woodward)

#### **Colleagues, partners and others in attendance:**

|                |   |                                   |
|----------------|---|-----------------------------------|
| Paul Seddon    | - | Chief Planner                     |
| Rob Percival   | - | Area Planning Manager             |
| Martin Poole   | - | Area Planning Manager             |
| Judith Irwin   | - | Senior Solicitor                  |
| Nigel Turpin   | - | Heritage and Urban Design Manager |
| Mark Leavesley | ) | Governance Officer                |
| Adrian Mann    | ) |                                   |

#### **65 APOLOGIES FOR ABSENCE**

|                     |   |          |
|---------------------|---|----------|
| Councillor Ayoola   | - | leave    |
| Councillor Longford | - | unwell   |
| Councillor Woodward | - | personal |

#### **66 DECLARATIONS OF INTERESTS**

None.

#### **67 MINUTES**

Subject in minute 62(c) to the replacement of '*but is not clear if there will be substantial transfers of staff from Derby and Leicester and ...*', with '*but it is understood that transferring staff from Derby and Leicester will be moved into the HMRC building first, and it is unclear....*', the Committee agreed that the minutes of the meeting held on 16 January 2019 were a correct record and they were signed by the Chair.

**68     66 LONDON ROAD**

Rob Percival, Area Planning Manager, introduced application 18/02107/PFUL3, by Indigo Planning on behalf of Cassidy Group (London Road) Limited, for a development of 150 apartments with associated communal area and car parking spaces.

The application was brought to Committee as it:

- (i) concerns a major development on a prominent site on the southern approach to the City;
- (ii) has been the subject of a viability challenge, and proposed planning obligations are substantially less than typically required by adopted planning policies.

The following additional information was included in an update sheet, circulated at the meeting and appended to the online agenda:

- (i) The Environment Agency had submitted revised comments, stating that it is satisfied with the mitigation proposed by the applicant in relation to raising of the ground floor level to 26.04mt and further flood resilience measures to 26.33mt. Therefore, the initial objection is overcome and the application is supported, subject to the development being undertaken in accordance with the letter from Betts Hydro, dated 07/02/2019.
- (ii) In allocating the available financial contribution, the sum in respect of S.106 Public Open Space contribution is being prioritised to facilitate enhancement of public realm within the Southern Gateway, which is required to accompany developments, including this one, that come forward to transform this area of the City.

The contribution sought would not result in the permissible number of obligations that can be pooled being exceeded according to Regulation 123(3) of the Community Infrastructure Levy Regulations 2010.

During discussion, the Committee stated that it unanimously supported the proposal, specifically highlighting the curved design, the sympathetic incorporation of the existing building, the dramatic entrance and the overall improvement to this area of London Road.

It was stated, however, that as this building sits within the Meadows area, consideration should be given to use of some S106 monies towards local projects, such as the Arkwright Walk football pitches, rather than just on the 'Southern Gateway'.

In response, Mr Percival stated that as S106 monies can be used 'towards public open space enhancement within the vicinity of the site', local projects in the Meadows could possibly be considered.

**RESOLVED**

- (1) to grant planning permission, subject to the indicative conditions substantially in the form of those listed in the draft notice at the end of the report with condition 14 (flood risk) being amended in accordance with the Environment Agency's revised comments as noted in the Update Sheet and subject to prior completion of a section 106 planning obligation, which includes a financial contribution of:**
  - (i) £155,000 towards affordable housing; and**
  - (ii) £66,731 towards public open space enhancement within the vicinity of the site in the Southern Gateway;**
- (2) to delegate authority to the Director of Planning and Regeneration to determine the final details of both the terms of the planning obligation and the conditions of the planning permission;**
- (3) that the Committee is satisfied that:**
  - (i) Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 has been complied with, in that the planning obligations sought were:**
    - (a) necessary to make the development acceptable in planning terms;**
    - (b) directly related to the development;**
    - (c) fairly and reasonably related in scale and kind to the development;**
  - (ii) the Section 106 Obligations sought would not exceed the permissible number of obligations according to Regulation 123(3) of the Community Infrastructure Levy Regulations 2010.**

**69 WILLIAM OLDS YOUTH CENTRE, 84 CHILTERN WAY**

Prior to commencement of the meeting, this item was withdrawn (see 'Update sheet').